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July 10, 2025

Via ECF

Hon. Vera M. Scanlon, U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11021

Re: Singh v. Topline NYC Contracting Inc., et al.
1:25-cv-00776-NCM-VMS

Dear Judge Scanlon:

The following is defendants' motion (1) to compel discovery and (2) for a protective order set forth below.

However, prior to that, I would like to bring to the Court's attention that at this late date, plaintiff has failed to submit a reply to our counterclaims. Defendants have moved for leave to amend their answer, with counterclaims on April 8, 2025 (Doc 16). The Court has failed to decide this motion and the matter is in limbo.

Motion to Compel Discovery

Turning to the motions: On April 30, 2025, the Court issued an order on the docket, stating, *inter alia*, "The parties must serve initial document requests and interrogatories on or before 5/31/2025."

Accordingly, on May 25, 2025, I served by email defendants' first request for production. Copy of the email and document demand is annexed as Exhibit A. Under Rule 34(b)(2)(A), plaintiff had thirty days to respond. He has yet to respond. On July 8, 2025, I sent an email to plaintiff's counsel, annexed as Exhibit B, reminding him that it's been 43 days since the document demand was sent and he has not responded. I gave him to today, to respond. It's now after 5:30 pm and I still received no response.

I ask that your Honor issue an order compelling plaintiff to respond in a reasonable time or be sanctioned

Motion for a Protective Order

Instead of responding to our document demand, after receiving my email reminder, plaintiff decided, on July 8, 2025, *thirty-eight days after the* deadline to do so, to send a document demand and interrogatories. Given that these requests were way past the deadline set by your Honor and agreed to by the parties, I sent an email back to plaintiff rejecting and returning those documents.

Defendants now move for a protective order. Plaintiff not only missed the deadline for propounding discovery demands and interrogatories by thirty-eight days, he never asked this Court or this office for an extension. Accordingly, plaintiff has waived his right to discovery and this Court should grant defendants' motion for a protective order.

Thank you for your attention to this.

Very truly yours,

Lila Ayers

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cc: Emanuel Kataev